

1 Scott Sagaria (State Bar No.217981)
Elliot Gale (State Bar No. 263326)
2 Joe Angelo (State Bar No. 268542)
SAGARIA LAW, P.C.
3 2033 Gateway Place, 5th Floor
San Jose, California 95110
4 Telephone: (408) 279-2288
Facsimile: (408) 279-2299

5 Attorneys for Plaintiff

6
7
8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

11 DAVID GIUSTO,

12 Plaintiff,

13 vs.

14 EXPERIAN INFORMATION SOLUTIONS,
15 INC.; et. al.,

16 Defendants.

Federal Case No.: 5:16-CV-04637-BLF

**PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL OF DEFENDANT EQUIFAX,
INC. PURSUANT TO FEDERAL RULE
OF CIVIL PROCEDURE 41(A)(1)**

17
18
19 **PLEASE TAKE NOTICE** that Plaintiff David Giusto, pursuant to Federal Rule of Civil
20 Procedure 41(a)(1), hereby voluntarily dismisses Defendant Equifax, Inc. as to all claims in this
21 action, with prejudice.

22 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

23 41(a) Voluntary Dismissal

24 (1) By the Plaintiff

25 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any
26 applicable federal statute, the plaintiff may dismiss an action without a court
27 order by filing:

28 (1) a notice of dismissal before the opposing party serves either an answer

1 or a motion for summary judgment.

2 Defendant Equifax, Inc. has neither answered Plaintiff's Complaint, nor filed a motion for
3 summary judgment. Accordingly, the matter may be dismissed against it for all purposes and
4 without an Order of the Court.

5
6 Dated: November 7, 2016

Sagaria Law, P.C.

7
8 By: /s/ Elliot W. Gale
Elliot W. Gale
9 Attorneys for Plaintiff
David Giusto